

# House File 292 - Introduced

HOUSE FILE 292

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## A BILL FOR

1 An Act requiring certain peace officers and school security  
2 personnel to wear a body camera.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION. 80C.1 Peace officer body cameras —  
2 requirement — confidentiality.

3     1. As used in this section unless the context otherwise  
4 requires:

5     a. "*Body camera*" means an electronic device that is capable  
6 of recording video and audio data or capable of transmitting  
7 video and audio data to be recorded remotely, and is worn on  
8 the person of a peace officer, which includes being attached to  
9 the officer's clothing or worn on glasses.

10    b. "*Peace officer*" means a peace officer defined in section  
11 801.4, subsection 11, paragraphs "a", "b", "c", "f", "g", "h",  
12 and "i". "*Peace officer*" also includes any person designated by  
13 a school or school district to provide security at a public or  
14 nonpublic school.

15    2. A peace officer shall wear a body camera at all times  
16 while on duty and in uniform and shall record using the camera  
17 all contacts with people in the performance of the official  
18 duties of the peace officer from the beginning to the end of  
19 those contacts.

20    3. A body camera shall be worn on the chest or at the eye  
21 level of the peace officer.

22    4. A peace officer shall inform a person when that person  
23 is being recorded by a body camera unless informing the person  
24 would be unsafe, impractical, or impossible.

25    5. A recording created by a body camera shall be retained  
26 for a period of at least two years from the date of the  
27 recording. The recording shall be retained by the law  
28 enforcement agency employing the peace officer or the public or  
29 nonpublic school or school district that designates the peace  
30 officer to provide security.

31    6. A peace officer who fails to record any contact  
32 as required by this section shall be suspended until an  
33 investigation into the cause of the recording failure has been  
34 completed.

35    7. Section 22.7, subsection 5, does not apply to the

1 recording unless the recording is part of an ongoing criminal  
2 investigation, and then the confidentiality only applies until  
3 the conclusion of that investigation.

4 8. The law enforcement agency employing the peace officer  
5 or the public or nonpublic school or school district that  
6 designates the peace officer to provide security shall  
7 participate in any existing state or federal programs that fund  
8 or supplement the costs to purchase and maintain body cameras  
9 worn by peace officers.

10 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
11 3, shall not apply to this Act.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with  
14 the explanation's substance by the members of the general assembly.

15 This bill requires certain peace officers and school  
16 security personnel to wear a body camera.

17 The bill defines "body camera" to mean an electronic device  
18 that is capable of recording video and audio data or capable of  
19 transmitting video and audio data to be recorded remotely, and  
20 is worn on the person of a peace officer.

21 The body camera requirement applies to a county sheriff  
22 or deputy sheriff, city peace officer, peace officer member  
23 of the department of public safety, peace officer at a  
24 regents institution, conservation officer, an employee of the  
25 department of transportation designated as a peace officer,  
26 an employee of an aviation authority designated as a peace  
27 officer, and a person designated by a school or school district  
28 to provide security at a public or nonpublic school.

29 The bill requires a peace officer to wear a body camera  
30 at all times while on duty and in uniform. The bill further  
31 requires that the peace officer record all contacts with people  
32 in the performance of the official duties of the peace officer  
33 from the beginning to the end of those contacts.

34 The bill specifies that a body camera must be worn on the  
35 chest or at the eye level of the peace officer.

1     The bill requires a peace officer to inform a person when  
2 that person is being recorded by a body camera unless informing  
3 the person would be unsafe, impractical, or impossible.

4     The bill specifies that the recording created with a body  
5 camera shall be retained for a period of at least two years  
6 from the date of the recording. The recording shall be  
7 retained by the law enforcement agency employing the peace  
8 officer or the school district or public or private school that  
9 designates the peace officer to provide security.

10    A peace officer who fails to record any contact as required  
11 by the bill shall be suspended until an investigation into the  
12 cause of the recording failure has been completed.

13    The bill provides that the recording is not a confidential  
14 record unless the recording is part of an ongoing criminal  
15 investigation, and then the confidentiality under the bill only  
16 applies until the conclusion of that investigation.

17    The bill specifies that a law enforcement agency employing  
18 the peace officer or the public or nonpublic school or school  
19 district that designates the peace officer to provide security  
20 shall participate in any existing state or federal programs  
21 that fund or supplement the costs to purchase and maintain  
22 body cameras worn by peace officers.

23    The bill may include a state mandate as defined in Code  
24 section 25B.3. The bill makes inapplicable Code section 25B.2,  
25 subsection 3, which would relieve a political subdivision from  
26 complying with a state mandate if funding for the cost of  
27 the state mandate is not provided or specified. Therefore,  
28 political subdivisions are required to comply with any state  
29 mandate included in the bill.